

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
Empowering Consumers to Prevent and Detect)	CG Docket No. 11-116
Billing for Unauthorized Charges (“Cramming”))	
)	
Consumer Information and Disclosure)	CG Docket No. 09-158
)	
Truth-in-Billing and Billing Format)	CC Docket No. 98-170

ORDER

Adopted: June 29, 2012**Released: June 29, 2012****Revised Reply Comment Date: July 20, 2012**

By the Acting Chief, Consumer and Governmental Affairs Bureau:

1. On April 27, 2012, the Commission released a Further Notice of Proposed Rulemaking proposing additional rules to help consumers prevent and detect the placement of unauthorized charges on their telephone bills, an unlawful and fraudulent practice commonly referred to as “cramming.”¹ The *Cramming FNPRM* sets deadlines for filing comments and reply comments at 30 and 45 days after its publication in the Federal Register,² which occurred on May 24, 2012.³ Accordingly, the deadline for filing comments was set at June 25, 2012, and the deadline for filing reply comments was set at July 9, 2012.⁴

2. On June 26, 2012, the National Association of State Utility Consumer Advocates (NASUCA) submitted a Motion for Extension of Time to File Reply Comments seeking a 30-day extension of the reply comment deadline for all interested parties.⁵ In support of its Motion, NASUCA states that such an extension is warranted because it will enable its members to review the large number of initial comments that were filed and to perform the coordination necessary for NASUCA to formulate thoughtful reply comments. NASUCA states that the current reply period includes the Fourth of July holiday and its midyear meeting being held June 25-26, 2012, and that this scheduling will make it more difficult for it to

¹ *Empowering Consumers to Prevent and Detect Billing for Unauthorized Charges (“Cramming”); Consumer Information and Disclosure; Truth-in-Billing and Billing Format*, CG Docket Nos. 11-116 and 09-158, CC Docket 98-170, Report and Order and Further Notice of Proposed Rulemaking, FCC 12-42 (rel. Apr. 27, 2012) (*Cramming FNPRM*); Erratum (rel. June 7, 2012).

² *Id.*

³ See 77 Fed. Reg. 30972 (May 24, 2012).

⁴ See *Consumer and Government Affairs Bureau Announces Comment Deadlines for “Cramming” Further Notice of Proposed Rulemaking*, CG Docket Nos. 11-116 and 09-158, CC Docket 98-170, Public Notice, DA 12-833 (rel. May 25, 2012).

⁵ Motion for Extension of Time to File Reply Comments, CG Docket Nos. 11-116 and 09-158, CC Docket 98-170 (filed June 26, 2012) (Motion) at 2-3.

complete reply comments by the current July 9, 2012 deadline.⁶ At least one party has filed in support of NASUCA's request.⁷

3. It is the policy of the Commission that extensions of time are not routinely granted.⁸ Such extensions may, however, be warranted when, among other things, the additional time will serve the public interest.⁹ In the instant proceeding, we find for the reasons stated in NASUCA's motion that providing additional time for all interested parties to file reply comments is reasonable and would be beneficial to the development of a complete record on the issues. We believe, however, that an extension of 11 days, rather than the requested 30 days, should provide adequate time for all parties to submit reply comments. Under these circumstances, we conclude that granting an 11-day extension of time to file reply comments serves the public interest and thus extend the reply comment deadline to **Friday, July 20, 2012**.

4. Accordingly, **IT IS ORDERED**, pursuant to Sections 4(i) and 4(j) of the Communications Act of 1934, as amended, 47 U.S.C. §§ 154(i), (j), and Sections 0.141, 0.361, and 1.46 of the Commission's Rules, 47 C.F.R. §§ 0.141, 0.361, 1.46, that the Motion for Extension of Time to File Reply Comments filed by the National Association of State Utility Consumer Advocates **IS GRANTED** to the extent indicated herein and **IS OTHERWISE DENIED**, and the deadline for filing reply comments in response to the *Cramming FNPRM* **IS EXTENDED** to July 20, 2012.

FEDERAL COMMUNICATIONS COMMISSION

Kris Anne Monteith
Acting Chief, Consumer and Governmental Affairs Bureau

⁶ *Id.* at 2.

⁷ See Consumers Union's Comment in Support of NASUCA's Motion for Extension of Time, CG Docket Nos. 11-116 and 09-158, CC Docket 98-170 (filed June 28, 2012).

⁸ 47 C.F.R. § 1.46(a).

⁹ See, e.g., *Service Rules for Advanced Wireless Services in the 2155-2175 MHz Band, Service Rules for Advanced Wireless Services in the 1915-1920 MHz, 1995-2000 MHz, 2020-2025 MHz and 2175-2180 MHz Bands*, WT Docket Nos. 04-356, 07-195, Order, 23 FCC Rcd 10527, 10528, para. 4 (WTB 2008); *Review of the Emergency Alert System*, EB Docket No. 04-296, Order, 25 FCC Rcd 1849 (PSHSB 2010).